

**ORDINANCE NO. 020822-28**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1510 SAN ANTONIO STREET GENERALLY KNOWN AS THE ROY THOMAS HOUSE, FROM DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT TO DOWNTOWN MIXED USE-HISTORIC-CONDITIONAL OVERLAY (DMU-H-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from downtown mixed use-conditional overlay (DMU-CO) combining district to downtown mixed use-historic-conditional overlay (DMU-H-CO) combining district on the property described in Zoning Case No.C14H-01-0015, on file at the Neighborhood Planning and Zoning Department, as follows:

A 6,016 square foot tract of land, more or less, out of Outlot 30, Division E, Government Tract, City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 1510 San Antonio Street, generally known as the Roy Thomas House, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A building or structure on the Property may not exceed a height of 60 feet from ground level.
2. Restaurant (limited) use is permitted as a conditional use on the Property.

3. The following uses of the Property are prohibited uses of the Property:

Condominium residential  
Group residential  
Townhouse residential  
Automotive rentals  
Automotive repair services  
Automotive sales  
Automotive washing (of any type)  
Pawn shop services  
Art and craft studio (general)  
Laundry services  
Cocktail lounge  
Commercial off-street parking  
Consumer convenience services  
Consumer repair services  
Exterminating services  
Financial services  
Food sales  
General retail sales (general)  
General retail sales (convenience)

Hotel-motel  
Indoor entertainment  
Indoor sports and recreation  
Liquor sales  
Maintenance and service facilities  
Outdoor entertainment  
Outdoor sports and recreation  
Personal improvement services  
Pet services  
Research services  
Restaurant (drive-in, fast food)  
Restaurant (general)  
Service station  
Theater  
Vehicle storage  
Custom manufacturing  
Limited warehousing and distribution  
Transportation terminal

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) base district and other applicable requirements of the City Code.

**PART 3.** The Council waives the requirements of Section 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on September 2, 2002.

**PASSED AND APPROVED**

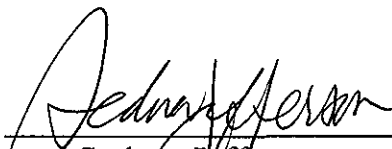
August 22, 2002

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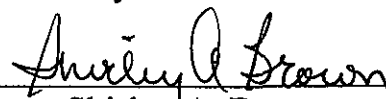


Gustavo L. Garcia  
Mayor

APPROVED:

  
Sedora Jefferson  
City Attorney

ATTEST:

  
Shirley A. Brown  
City Clerk

FIELD NOTES  
FOR

## EXHIBIT "A"

6016 SQUARE FEET OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF OUTLOT 30, DIVISION E IN THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO CHESTER C. BURATTI BY INSTRUMENT RECORDED IN VOLUME 4733, PAGE 1496 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO CHESTER C. BURATTI BY INSTRUMENT RECORDED IN VOLUME 3941, PAGE 693 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found at the Northeast corner of said Buratti Tract recorded in Volume 3941, Page 693, being at the intersection of the West r.o.w. line of San Antonio Street, an 80 foot wide public right-of-way, and the South r.o.w. line of East 16th Street, a 60 foot wide public right-of-way, for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of said Buratti Tract recorded in Volume 3941, Page 693, being along the West r.o.w. line of San Antonio Street, S 19°00'00" W for a distance of 47.00 feet to a 1/2 inch iron pin found for the Southeast corner hereof;

THENCE along the South line of said Buratti Tract recorded in Volume 3941, Page 693, N 70°36'00" W for a distance of 72.00 feet to a 1/2 inch iron pin found at the Southeast corner of said Buratti Tract recorded in Volume 4733, Page 1496;

THENCE along the South line of said Buratti Tract recorded in Volume 4733, Page 1496, N 70°36'00" W for a distance of 56.00 feet to a 1/2 inch iron pin found in the East line of a 20 foot wide public alley, for the Southwest corner hereof;

THENCE along the West line of said Buratti Tract recorded in Volume 4733, Page 1496, being along the East line of said alley, N 19°00'00" E for a distance of 47.00 feet to a 1/2 inch iron pin found at the intersection of the East line of said alley and the South r.o.w. line of West 16th Street, for the Northwest corner hereof;

FIELD NOTES  
FOR

# EXHIBIT "A"

6016 SQUARE FEET OF LAND - Page Two

THENCE along the North line of said Buratti Tract recorded in Volume 4733, Page 1496, being along the South r.o.w. line of West 16th Street, S 70°36'00" E for a distance of 56.00 feet to a 1/2 inch iron pin found at the Northwest corner of said Buratti Tract recorded in Volume 3941, Page 693;

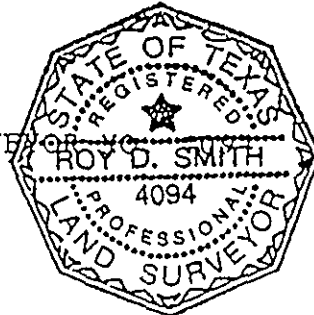
THENCE along the North line of said Buratti Tract recorded in Volume 3941, Page 693, being along the South r.o.w. line of West 16th Street, S 70°36'00" E for a distance of 72.00 feet to the PLACE OF BEGINNING and containing 6016 square feet of land, more or less.

SURVEYED BY:  
ROY D. SMITH SURVEYORS, P.C.

*Roy D. Smith*

ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR  
August 25, 1999



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

08-30-1999 03:31 PM 1999096296  
RUIZO \$17.00  
Dana DeBeauvoir, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

